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**REISSUE APPLICATION DECLARATION BY THE ASSIGNEE**

Docket Number (Optional)

11899.0175.REUS07

I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I am authorized to act on behalf of the following company: Monsanto Technology LLC  
and the title of my position with said company is: Intellectual Property Counsel

The entire title to the patent identified below is vested in said company.

Name of Patentee(s):

Gerard F. Barry, Ganesh M. Kishore, Stephen R. Padgette and William C. Stallings

Patent Number	Date Patent Issued
<u>U.S. Patent No. 5,633,435</u>	<u>May 27, 1997</u>

Title of Invention	<u>Glyphosate-Tolerant 5-Enolpyruvylshikimate-3-Phosphate Synthases</u>
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I believe said patentee(s) to be the original, first and sole inventor of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled \_\_\_\_\_  
Glyphosate-Tolerant 5-Enolpyruvylshikimate-3-Phosphate Synthases

the specification of which

 is attached hereto. was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.

- by reason of a defective specification or drawing.
- by reason of the patentee claiming more or less than he had the right to claim in the patent.
- by reason of other errors.

At least one error upon which reissue is based is described as follows:

U.S. Patent No. 5,633,435 should have included separate claims for subject matter involving SEQ ID NOs 2, 4 and 6, which have a different effective filing date than the claims for subject matter involving SEQ ID NOs 41 and 43.

All errors corrected in this reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant.

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## (REISSUE APPLICATION DECLARATION BY THE ASSIGNEE, page 2)

Docket Number (Optional)  
11899.0175.REUS07

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Grace L. Bonner

Signature	Date April 8, 2003
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